

CRANSTON SCHOOL COMMITTEE MEETING

WEDNESDAY, OCTOBER 13, 2010

WESTERN HILLS MIDDLE SCHOOL

400 PHENIX AVENUE

EXECUTIVE SESSION: 6:00 P.M.

PUBLIC MEETING: IMMEDIATELY FOLLOWING EXECUTIVE SESSION

PUBLIC WORK SESSION IMMEDIATELY FOLLOWING PUBLIC MEETING

AGENDA

1. Call to Order – 6:00 p.m. – Convene to Executive Session pursuant to RI State Laws PL 42-46-5(a)(1) Personnel; PL 42-46-5(a)(2) Collective Bargaining and Litigation (Contract Negotiations' Update – Teachers, Teacher Assistants/Bus Aides, Technical Assistants), (Cranston Area Career & Technical Center), (Food Service Arbitration Award), (Secretary Arbitration Award), (Volunteer Policy).

2. Executive Session

3. Call to Order – Public Session

4. Roll Call / Quorum

5. Executive Session Minutes Sealed – October 13, 2010

6. Public Acknowledgements / Communication

7. Chairperson's Communications

8. Superintendent's Communications

9. School Committee Member Communications

10. Public Hearing

- a. Students (Agenda/Non-agenda Matters)**
- b. Members of the Public (Agenda Matters Only)**

11. Consent Agenda / Consent Calendar

RESOLUTIONS

SPONSORED BY ADMINISTRATION

10-10-01 – RESOLVED, that at the recommendation of the Superintendent, the Food Service Arbitration Award be rejected.

POLICY AND PROGRAM

NO. 10-10-02 - RESOLVED, that at the recommendation of the Superintendent, the following Conferences/Field Trips of Long Duration be authorized:

1. Lisa Abbott, Special Education Teacher at the Horton Program Building, to travel to Bristol/Warren, RI, to attend and be a team member on a “School Support System Review” conference from October 18, 2010 through October 21, 2010, at no cost to the School Department. No funds are needed for this conference and no substitute is needed.

NO. 10-10-03 - RESOLVED, that at the recommendation of the Superintendent, Policy #5147 (a), 504 Process & Safeguards Policy (as revised), be approved for second and final reading (policy

attached).

As proposed by Mr. Stycos:

NO. 10-10-04 - RESOLVED, that at the recommendation of the Superintendent, Policy #4141(a), Personnel / Salaries Potential Policy be approved for second and final reading (policy is as follows):

- **When a teacher is hired with private school teaching experience, the teacher shall be placed on the step which is closest to their current private school teaching salary and greater. The Superintendent may consider placing the new hire at additional steps subject to the approval of the School Committee. The years of teaching experience in private schools shall not be a factor in placing a new hire on the Cranston teacher step schedule.**

12. Action Calendar / Action Agenda

TABLED RESOLUTION

NO. 10-9-01 - WHEREAS, Julia Maguire did an outstanding job as a scholar athlete in her senior year at Cranston High School East, and WHEREAS, Julia completed in cross country, lacrosse and basketball while achieving an overall 4 year 4.67 GPA, ranking her 4th in her class, and

WHEREAS, Julia competed in the statewide DECA International Marketing competition, and

WHEREAS, Julia was a basketball first team All-State, earned

all-class and all-division in cross country, a member of the class council and a Special Olympic Volunteer, and

WHEREAS, Julia was named Providence Journal's 2010 Honor Roll Girl, making her RI's top senior female athlete.

Be it RESOLVED, that Julia be congratulated for these great accomplishments for not only Cranston High School East but Rhode Island as well.

Be it further RESOLVED, that she be presented with a copy of this resolution signed by members of the Cranston School Committee.

13. New Business

14. Public Hearing on Non-agenda Items

15. Announcement of Future Meetings – October 18th, November 17th and 22nd, 2010

16. Adjourn to Public Work Session:

a. ILP – Dr. Lundsten

b. Volunteer Policy

17. Adjournment

School Committee members who are unable to attend this meeting are asked to notify the Chairman in advance.

Interested persons and the public at large, upon advance notice, will be given a fair opportunity to be heard at said meeting on the items proposed on the Agenda.

Individuals requested interpreter services for the hearing impaired must notify the Superintendent's Office at 270-8143 72 hours in advance of hearing date.

Any changes in the agenda pursuant to RIGL 42-46-6(e) will be posted on the school district's web site at www.cpsed.net, Cranston Public Schools' administration building, 845 Park Ave., Cranston, RI; and Cranston City Hall, 869 Park Ave., Cranston, RI and will be electronically filed with the Secretary of State at least forty-eight hours (48) hours in advance of the meeting.

Notice Posted: Cranston Herald / October 7, 2010

5147 (a)

504 Process & Safeguards

Information Regarding Section 504 of the Rehabilitation Act of 1973

Section 504 is an Act which prohibits discrimination against persons with a handicap in any program receiving Federal financial assistance. The Act defines a person with a handicap as anyone who has a mental or physical impairment which substantially limits one or more major life activities (Major life activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.)

In order to fulfill its obligation under Section 504, the Cranston School Department recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and

students. No discrimination against any person with a handicap will knowingly be permitted in any of the programs and practices in the school system.

The school department has specific responsibilities under the Act, which include the responsibility to identify, evaluate, and if the child is determined to be eligible under Section 504, to afford access to appropriate educational services.

If the individual, parent or guardian disagrees with the determination made by the professional staff of the school department, he/she has a right to a hearing with an impartial hearing officer.

The Family Educational Rights and Privacy Act (FERPA) also specify rights related to educational records. This Act gives the parent or guardian the right to:

- 1) Inspect and review his/her child's educational records;**
- 2) Make copies of these records;**
- 3) Receive a list of all individuals having access to those records;**
- 4) Ask for an explanation of any item in the records;**
- 5) Ask for an amendment to any report on the grounds that it is**

inaccurate, misleading, or violates the child's rights; and,

6) A hearing on the issue if the school refuses to make the amendment.

If there are questions, please contact the District 504 Coordinator at the Briggs Building.

504-1 8/10

5147 (b)

504 Educational Referral Procedures

The following represents Cranston School Department's 504 Referral Process:

1) The building administrator receives a referral from individual, parent, student, professional or outside agency.

2) The building administrator reviews the referral data and determines and convenes a 504 Education Committee; and, b) the composition of the committee including a parent and/or student who has reached the

age of majority.

3) The Committee together with the building administrator first determines jurisdiction/applicability of the 504 process to the case. If jurisdiction is confirmed and appropriate, the Committee with the principal shall; a) determine eligibility under 504; and, b) determine the accommodation, modifications and/or support services necessary to meet the student's need – if any; and, c) reflects such within a Student Service Plan (when and if applicable/required to address a discrimination present.

4) The building administrator implements and supervises those required support services and accommodations and/or Service Plan components.

5) Should the 504 Committee determine that the provisions of Section 504 are not applicable; the building administrator will forward a letter to the referring person with an explanation for the decision and include a copy of the Parental Rights in that correspondence.

504-2 8/10

5147 (c)

Parent/Student Rights in Identification, Evaluation, and Placement

The following is description of the rights granted by federal law to students with identified, documented 504 handicaps.

You or your child has the right to:

1) Take part in and receive benefits from public education programs

without discrimination because of his/her handicapping condition;

2) Be advised by the school district of your rights under federal law;

3) Receive notice with respect to identification, evaluation or placement;

4) Receive a free appropriate public education. This includes the right to be educated with non-handicapped students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow equal opportunity to participate in school and school-related activities;

5) Be educated in facilities and receive services comparable to those provided non-handicapped students;

6) Receive special education and related services if: a) found to be eligible under (IDEA) or Section 504 of the Rehabilitation Act; and, b) if such is warranted and appropriate to avoid educational discrimination on the basis of handicap;

7) Evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluation data and placement options; and,

8) Transportation provided to and from a district- made alternative

placement at no greater cost to you than would be incurred if the student were placed in a program operated by the district.

504-3 8/10

5147(d)

504 Educational Grievance Procedures

A 504 educational grievance shall mean a complaint by a student, an employee, or the parent of a student in the Cranston Public Schools in which there is an allegation that educational discrimination on the basis of handicap has occurred.

1) All grievances shall be submitted in writing and be signed by the complainant.

2) Initial complaint shall be filed with the District 504 Coordinator. This administrator shall communicate his/her written decision to the complainant within ten (10) school days after having received the complaint.

3) In the event the complainant feels the decision of the District 504 Coordinator is not satisfactory, the complainant may file directly with:

Rhode Island Department of Education

Shepard Building

255 Westminister Street

Providence, RI 02903-3400

ATTN: David Abbott

Telephone number: (401) 222-8702

OR

Department of Education – OCR

John McCormack Post Office and Court House Building

Room 222

Boston, MA 02109-4557

Telephone number: (617) 223-9677

504-4

8/10

SECTION 504 DOCUMENTATION 5147(e) (1)

Name: Grade: DOB:

Parent(s): Telephone:

Address:

School:

Date of Referral Notice: Meeting Date:

1. Statement of the Presenting Problem:

2. Eligibility Team Members (sign name, role/position and check knowledgeable about):

Name & Role/Position Accommodations	Person	Evaluations
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3. Variety of sources of evaluation information (indicate each one used):

 Adaptive and/or achievement tests:

 Adaptive behavior:

 Teacher recommendations:

 Others, such as Teacher Support Team data (specify):

**4. Supplemental Educational Notice &
Authorization Evals Evals Evals**

Evaluations required requested rec'd Sched. Comp.

___/___ ___/___ ___/___ ___/___

___/___ ___/___ ___/___ ___/___

___/___ ___/___ ___/___ ___/___

5. Specify the mental or physical impairment:

(As recognized in DSM-IV or other respected source if not excluded under 504/ADA, e.g. illegal drug use)

6. Check the major life activity:

 seeing

 hearing

 walking

 learning

 breathing

 reading

 other

(if “other,” specify):

7. Place an “X” on the rating scale below to indicate the specific degree to which the impairment (in #5) limits the major life activity (in #6):

- **Make sure the team focuses on the major life activity as a whole (e.g. learning), not in a particular class (e.g. math) or for a particular sub-area (e.g. socialization).**
- **Discount from the analysis sub-par performance due to other factors, such as normal moods, lack of motivation, and the immediate situation or environment. Conversely, make an educated estimate without the mitigation of medication.**
- **Use the average student in the general population as the frame of reference for purpose of comparison.**
- **Fill in specific information evaluated by the team that justifies the rating.**

Rating Scale: Specific Information that Justifies Rating:

5 Extremely

4 _____ Substantially

3 _____ Moderately

2 _____ Mildly

1 _____ Negligibly

8. If the team's determination for #7 was less than "4-Substantially", provide notice to the parents of their procedural rights, including an

impartial hearing. If the team’s determination was a “4-Substantially or 5-Extremely”, the team should determine and list on the accommodation plan the specific accommodations that are necessary for the person to have an opportunity commensurate with nondisabled people in this district.

504-6 8/10

SECTION 504 DOCUMENTATION 5147(e)(3)

DETERMINATION: _____yes, 504 eligible _____no, 504 not eligible

I hereby acknowledge having been notified of my procedural rights under Section 504/ADA and having

PARENT CONFERENCE / NOTICE AND COPY ____/____/____

 agreed to the determination

 not agreed to the determination

(Signature) (Date)

Note: If 504 Determination is rejected, please indicate if Grievance

Procedures are requested:

 Yes

 No

_____ / /
—

Building Administrator Date

504-7 8/10

SECTION 504 Accommodation Plan 5147(f)(1)

Name: Grade: DOB:

Parent(s): Telephone:

Address:

School:

Date of Referral Notice: Meeting Date:

1. Statement of the Presenting Problem:

2. Eligibility Team Members (sign name, role/position and check

knowledgeable about):

Name & Role/Position	Person	Evaluations
Accommodations		

  
  
  
  
  
  

3. Variety of sources of evaluation information (indicate each one used):

-  Adaptive and/or achievement tests:
-  Adaptive behavior:
-  Teacher recommendations:
-  Others, such as Teacher Support Team data (specify):

ACCOMODATION PLAN

Name DOB

Meeting Date Evaluation Review Date

List above the dotted line accommodations and/or related services that are specifically necessitated by the student’s substantial impairment, i.e. disability, and that are required for the student to have an opportunity commensurate with his/her non-disabled peers in the school district.

Required Accommodations/Services Person(s) Responsible

SERVICE PLAN AUTHORIZATION: 5147(g)

PARENT CONFERENCE / NOTICE AND COPY ____/____/____

I hereby acknowledge having been notified of my procedural rights under Section 504/ADA and having

 agreed to

 not agreed to

the contents of this plan.

(Signature) (Date)

Note: If Student Service Plan is rejected, please indicate if Grievance Procedures are requested:

Yes No

Building Administrator

____/____/____

Date

504-10

8/10

Exit from Services Authorized by a 504 Service Plan 5147(h)

Name:

D.O.B.:

Date:

Dear _____:

On the basis of a team review of the above person's 504 Plan including evaluation, observation, recommendations, and present school performance levels, presented by the following team members:

it has been determined that _____ no longer appears to be eligible for services or require accommodations under a 504 Plan.

Enclosed for your information is a copy of the 504 Educational Grievance Procedures. Please indicate your acceptance or rejection below regarding this decision and sign in the space provided.

Sincerely,

_____ I accept the exit of from services provided under a 504 Plan.

_____ I wish to further discuss this exit with the District 504 Coordinator.

Parent Signature

Date

504-11 8/10

5147(i) (1)

Guidelines to Complete Section 504 Documentation & Accommodation Plan

Documentation

First, please read and become familiar with the attached guidelines around Section 504 decisions. It is important to remember that this is an anti-discrimination statute; as such, our legal responsibility is to insure that we are not discriminating against any individual based on their impairment.

Eligibility documentation must be made at least every three years, earlier if it is suspected there is a change in impairment status.

Personal Information: current information in case of need to revision, communication of progress or review of plan.

Referral notice: date when referral received by school by parent, teacher, or other notification (doctor's note).

Meeting date(s): date of actual meeting(s).

Statement of Presenting Problem: Issue about which the 504 team is concerned; that which presents a potential problem if left unaddressed, may be considered discriminatory. (Attentional

problems, cannot climb stairs, cannot see the board, etc.)

Team Members: Team members who participate in creating plan, including the parent unless the parent provides written permission to meet without their presence.

Role/Position: The role or position of the team member, including the parent when appropriate.

Variety of sources of evaluation information: What documentation is being used to determine impairment-clinical psychological, doctor's diagnosis, OT report...)

Supplemental Educational Evaluations required: Additional evaluations the team feels is necessary to document impairment.

Specify the mental or physical impairment: What is the diagnosis from the evaluations which supports the documentation that the child suffers from a impairment?

Check the major life activity: What major life activity is the disabling condition impacting that would prevent them from fully participating in impacted activities?

5147(i) (2)

Documentation continued.

Degree to which the impairment limits a major life activity: Needs to be a global impairment, rather than a specific area; must be substantially or extremely limiting (see rating scale) to qualify for plan. In Section 7 of the documentation, explain how the impairment limits the individual's ability in the major life area in question.

IF INDIVIDUAL DETERMINED SIGNIFICANTLY OR SUBSTANTIALLY DISABLED~ continue and complete Accommodation Plan.

IF INDIVIDUAL NOT DETERMINED SIGNIFICANTLY OR SUBSTANTIALLY DISABLED ~ provide information on how to appeal decision of Section 504 Team, including procedural rights and impartial hearing.

“SUBSTANTIALLY DISABLED”: if a disability impacts a person's ability to the extent to deny them equal access or participation, then the disability is substantial. For example, a student with a disability and that disability does not allow them to make reasonable educational progress (d's and/or F's); a person uses a wheelchair for mobility and are unable to access all areas of the building with accommodation or assistance; a student with an extended and/or especially significant illness that does not allow the student to attend

school for large stretches of time.

504-13 8/10

Accommodation Plan 5147(i) (3)

An Accommodation Plan should be created only if there has been a determination that the individual has an impairment the substantially or extremely limits their ability to participate in a major life activity. Accommodations provided should be limited to those necessary for the child to have an opportunity equal to non-disabled individuals (at about the same age) in this district.

Required Accommodations/Services: For students, this plan should ensure through its implementation, that the student has received a Free Appropriate Public Education (FAPE) and is not discriminated against due to their impairment. This is a team decision that should include individuals responsible for the plan's implementation. The purpose of these accommodations and services are to ensure that the individual has been free of discrimination. Failure to notify individuals of the plan or to implement the plan may be interpreted to be a failure on the part of the responsible individual(s) to provide FAPE and/or to be discriminatory against the individual, which may have consequences for the responsible individual as well as the district.

Person Responsible: Person responsible for ensuring that accommodations/services are provided.

Signatures: Building administrator signature is required for plan acceptance; parental notification of plan is required, but signature is not required (but strongly recommended).

If parents do not agree with the plan, they are required to provide written notice of the reason for their disagreement. Verbal notice is not sufficient, although the team should work with the parent if they express that they are not satisfied with the plan.

Regulations Adopted: May 21, 2001 – Resolution No. 01-5-36

Regulations Amended: December 15, 2008 – Resolution No. 08-12-30

Regulations Amended: October 13, 2010 – Resolution No. 10-10- 03

504-14

8/10